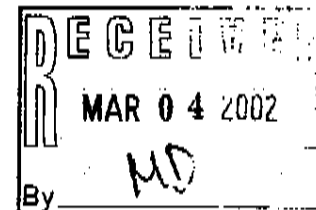


March 4, 2002

Linda Moulton-Patterson, Chair
California Integrated Waste Management Board
1001 I Street, P.O. Box 4025
Sacramento, CA 95812-4025



RE: Plastic Trash Bag - Minimum Recycled Content

Dear Ms. Moulton-Patterson:

At its September 11-12 board meeting, the Integrated Waste Management Board approved a report to the Legislature on the Board's Plastic Trash Bag Survey. The report included recommendations that the Legislature take three steps "to continue expanding the demand for California recycled plastic postconsumer material":

1. Increase the minimum content requirement for plastic trash bags above the current 10%
2. Reinstate the 20% credit for using California resin
3. Eliminate the self-exemption for inability to find an adequate supply or acceptable quality of RPPCM

The report was considered and approved by the board at the September meeting in order to comply with the statutory requirement for the board to conduct a survey and report to the Legislature by October 2001.

In the intervening months, Californians Against Waste and other stakeholders have learned a great deal more about the current state of film plastic recycling and the plastic trash bag law. Much of this new information has emerged, in fact, from CIWMB meetings and workshops held specifically on the plastic trash bag law and also as part of the Board's preparation of a comprehensive Plastics White Paper. Based on this new information, we are not convinced that the recommendations approved by the Board in September represent the best strategy for improving the recycling and reuse of film plastic.

The emergence of the composite (plastic) lumber industry, with its voracious appetite for recycled film plastic, appears to have reduced the need for focusing our film plastic market development efforts exclusively on trash bag manufacturers via existing minimum content requirements.

The more complete picture of film plastic recycling that has emerged since the Board made its initial recommendations leads CAW to conclude that the Board would be well-served by withdrawing the recommendations temporarily and taking the time provided by the White Paper process to re-assess the role and effectiveness of the Plastic Trash Bag law in the state's larger goal of encouraging the reuse of plastics.

It is our understanding that the report and recommendations are now awaiting consideration in the Governor's office. We recommend that you ask the Governor's office to return the report to the Board for further consideration. CAW would be happy to communicate with appropriate staff in the Governor's office as well as key legislative offices to ensure there will be no misunderstanding about the need for this temporary delay.

I would be happy to discuss this matter in more detail with you or your staff. Thank you for your consideration of CAW's views.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Murray', with a long horizontal flourish extending to the right.

Mark Murray
Executive Director

cc: Mr. Mark Leary, Executive Director